



SECTION C

Sector Specific
Permit Conditions:

Hake Deep-Sea Trawl

These Permit Conditions must be read with the applicable Fishing Permit Conditions For: Hake, Sole, Horse Mackerel and Demersal Shark Sectors ("SECTION B") for 2024

Fishing season: 2024

DATE OF APPROVAL: 24 NOV 2023

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1. APPLICABLE POLICIES AND PERMIT CONDITIONS

- 1.1. This permit is issued subject to the provisions of the Policy for the Allocation of Commercial Fishing Rights in the Hake Deep-Sea Trawl Fishery: 2021 and the General Policy on the Allocation and Management of Fishing Rights: 2021.
- 1.2. These permit conditions must be read with the applicable Fishing Permit Conditions For: Hake, Sole, Horse Mackerel and Demersal Shark Sectors (“SECTION B”) for 2024.

2. FISHING AND RESTRICTED AREAS

- 2.1. In the area east of 020°E longitude, no fishing shall take place in water depths of less than 110 metres or within 20 nautical miles from the coast, whichever is the greater distance from the coast.
- 2.2. In the area west of 020°E longitude, no fishing shall take place within 5 nautical miles of the coast.
- 2.3. During the period 1 September to 30 November, no fishing shall take place within the quadrilateral described by lines joining the following four points:—
 - A: 34°48'S 024°00'E;
 - B: 34°38'S 025°00'E;
 - C: 34°44'S 025°00'E; and
 - D: 34°57'S 024°00'E.
- 2.4. No fishing may take place outside of the areas defined as the “Hake Trawl Ring Fence” as described in the DAFF VMS MaxSea file “Trawl Ringfenced 2009 Release V1.ptf”. This file is available for incorporation into MaxSea navigational software upon request from DAFF”.
- 2.5. No fishing may take place in the Marine Protected Areas as proclaimed in the Government Gazette No. 42478 dated 23 May 2019.



3. NOTIFICATIONS

- 3.1 If the Permit Holder / Vessel Owner wishes to fish in the Exclusive Economic Zones (EEZ) of another country (e.g., Namibia) for part of the year, the Permit Holder / Vessel Owner is required to follow procedures as stipulated in **Annexure 1** of these permit conditions. Any fish caught under this charter agreement will not accrue to South Africa. Furthermore, this performance will not be considered in any fishery performance reviews.

4. EFFORT LIMITATIONS AND GEAR RESTRICTIONS

- 4.1. A fishing plan must be submitted for the fishing vessels of each cluster of Permit Holders for the 2024 fishing season and the fishing Plan must be signed by the Cluster Manager as authorized by the Right Holder/s.
- 4.2. Whilst the vessel is operating in terms of the provisions of this permit, it may activate multiple Hake Deep-sea Trawl Fishing Rights simultaneously on the vessel, but no other Rights may be activated on the vessel.
- 4.3. Fishing Gear: Only bottom trawl gear with a minimum codend mesh size of 110mm (measured inside mesh diameter and stretched to a maximum tension of 5 kgs) may be used and shall be the only fishing gear onboard the vessel.
- 4.4. No bobbins, nylon rollers or other devices whatsoever, with a diameter in excess of 750mm or a weight in excess of 200kgs shall be deployed with, or as part of, the trawl gear, except for floats and the single pair of trawl doors and the device separating trawls in the case of twin trawling.
- 4.5. The use of cod-end liners is prohibited.
- 4.6. Any modification to the trawl gear configuration that will or could substantially change the fishing efficiency of the gear (e.g., a change in the mesh size; inclusion of escape panels or selector grids) shall be noted *in the Trawl Fishing log* in the *Remarks* Section of the appropriate *Header Information per Activity Period* page.



4.7. The permit holder shall only use the new bird scaring line as follows:

4.7.1 The specifications for approved bird-scaring lines to be flown on deep-sea trawl vessels are contained in Figure 1 below;

4.7.2 The Permit Holder must deploy bird-scaring lines outside each trawl warp (Port and Starboard) to reduce the incidence of sea bird mortality;

4.7.3 Each streamer (or bird-scaring) line must be attached to the stern at the maximum practical height above the waterline and as far to port or starboard as practical in order to minimize the danger of entanglement;

4.7.4 Each bird-scaring line must consist of 30-50m of rope with a buoy and road cone attached at the seaward end for tension, and shall be deployed such that the seaward end enters the water at least 10m behind the point at which the trawl warp enters the water;

4.7.5 Each bird-scaring line must have at least six paired streamers (preferably of 10-17mm diameter garden hose to prevent possible entanglement with warps) attached at intervals of no more than 2m, commencing 2m from the stern. Each streamer should reach the water's surface in calm conditions;

4.7.6 The bird-scaring lines must be deployed immediately after the trawl doors enter the water during the setting operation and shall be flown during fishing. The discarding of offal shall not occur during the shooting of trawl gear unless the bird-scaring lines are deployed;

4.7.7 Bird-scaring lines must be retrieved immediately prior to hauling in order to minimize entanglement;

4.7.8 Each vessel must carry a full spare set of bird-scaring lines;

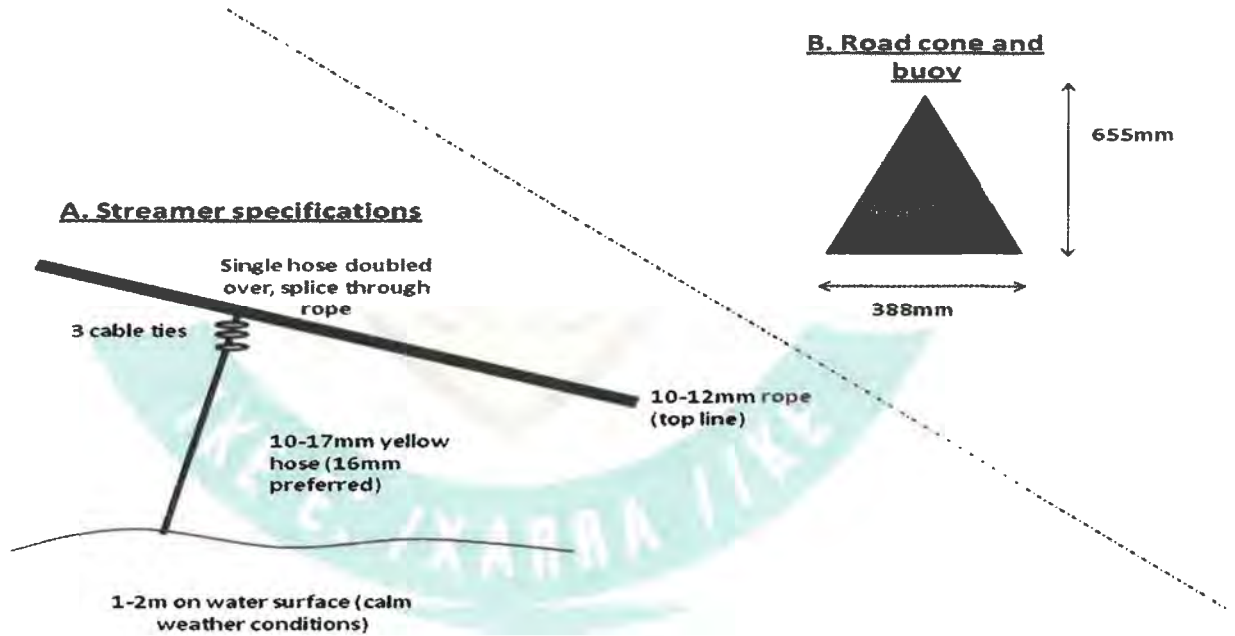
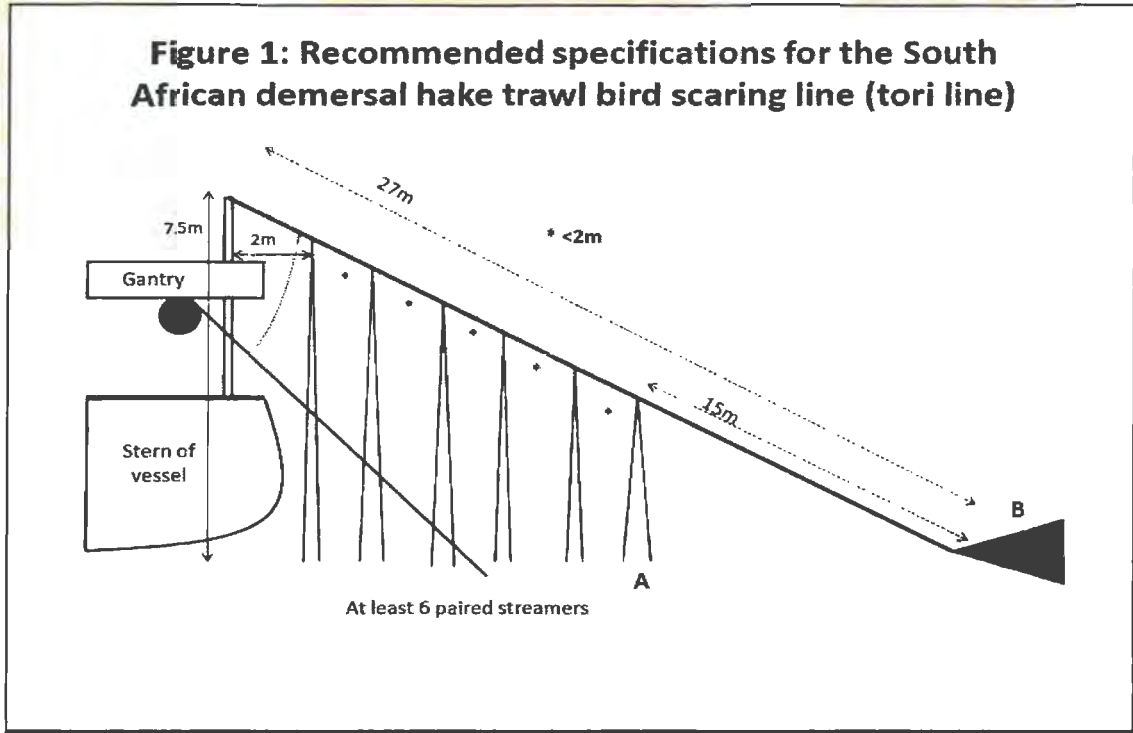


- 4.7.9 The paired streamer specifications are based on the assumption that bird-scaring lines is attached at 7.5m above a calm water line. (The bird-scaring line be attached to the stern at the maximum practical height above the calm water line);
- 4.7.10 Recommended top-line rope of 10-12mm;
- 4.7.11 Length of top-line from outermost attachment (top rail of gantry) to road cone at least 27m. If the top-line tends to sag under the weight of the streamers additional top-line shall be attached to the road cone end;
- 4.7.12 An additional 2m at the vessel (proximal) end to secure the bird-scaring line, i.e. total constructed top-line length a minimum of 29m;
- 4.7.13 First set of paired streamers attached not more than 2m from the outermost attachment;
- 4.7.14 Subsequent five sets of paired streamers to be spaced at intervals of not more than 2m;
- 4.7.15 Top-line of at least 15m between last set (number 6) of streamers to road cone;
- 4.7.16 Paired streamers consisting of 16mm yellow (for visibility) hose. Each streamer shall drag/float on the surface (1-2m under calm conditions);
- 4.7.17 The paired streamer consists of a single length of hosing doubled over the top-line;
- 4.7.18 Streamers to be secured to the top-line by appropriate material spliced into the top-line and tied to the streamer. Alternatively, streamers could also be attached to a shark clip and removed and stored prior to hauling;
- 4.7.19 Three (3) cable ties to fasten paired streamers below the top-line;

- 4.7.20 Placement of swivel before the road cone to prevent the top-line becoming twisted. A second swivel is optional at the outermost attachment point;
- 4.7.21 Tension device at the end of the top-line consisting of an orange road cone (height 655mm and a width at base 388mm). A plastic buoy (single or double eye) 220mm diameter placed inside the road cone and attached to the top-line. A floating road cone reduces the risk of propeller entanglement should the trawl gear become snagged while the bird-scaring line is deployed;
- 4.7.22 Bird-scaring lines can be deployed and retrieved from the aft/fishing deck by the use of an additional rope (lazy line). This rope should be attached from the aft deck to the top-line between the first and second set of streamers. This arrangement ensures that crew do not need to be deployed to the gantry platform each trawl; and
- 4.7.23 Storage of the bird-scaring line on deck either in a plastic bin or wound on a metal reel.
- 4.8 Splices in the trawl warps shall be “neat”, i.e., loose ends shall be trimmed off and whipped to remove potential snags that can hook seabirds.
- 4.9 The permit holder must ensure that trawl warps are lightly greased, specifically: the individual wires of the outer strands shall be clearly visible and the greasing on the crowns of the warp shall not exceed 1mm.
- 4.10 Lubricants containing bitumen are prohibited.



Figure 1: Recommended specifications for the South African demersal hake trawl bird scaring line (tori line)



5 CATCH CONTROLS AND LIMITATIONS

- 5.1 Whilst the vessel is operating in terms of the provisions of this permit, it shall only harvest the hake allocations of Hake Deep-Sea Trawl Right Holders issued with a valid permit in terms of Section 13 of the MLRA.
- 5.2 Processing of squalene from shark is strictly prohibited when fishing under these permit conditions.
- 5.3 The limits on kingklip and monkfish imposed in terms of these permit conditions (paragraph 5.4 to 5.6) are intended to cap the escalation of effort directed at these species and may be reviewed based on most recent stock assessment.
- 5.4 The kingklip by-catch for the trawl and line hake-directed fisheries should not exceed a precautionary maximum catch limit of 3733 tons.
- 5.5 The monkfish by-catch for the trawl and line hake-directed fisheries should not exceed a precautionary maximum catch limit of 7780 tons.
- 5.6 The Permit Holder must take immediate steps to reduce its by-catch of kingklip and monkfish to a level not exceeding its average catch over the period 1998 to 2002 inclusive except for new entrants in this fishing season.
- 5.7 If the Permit Holder's by-catch of kingklip or monkfish harvested in terms of this permit exceeds the limit set in paragraphs 5.4 to 5.6 the Department may prevent the Permit Holder from fishing in terms of this permit.
- 5.8 On approaching the set limit in paragraphs 5.4 to 5.6, the Permit Holder may be required to take onboard a scientific observer, at their own expense, on every trip for the remaining period of validity of the permit.

- 5.9 The Permit Holder must not target any by-catch species. The total amount of hake harvested shall account for a minimum of 50% of each landing in terms of landed (processed) weight excluding Horse Mackerel.
- 5.10 The snoek catch (landed weight) shall not exceed 20% of any landing in terms of landed (processed) weight. Should the snoek catch (processed weight) in any one trawl exceed 25% of the total catch (processed weight), then the vessel shall move to a depth of at least 50 meters deeper which will be different from that fishing position depth.
- 5.11 All horse mackerel caught must be recorded and deducted from the horse mackerel by-catch reserve allocated for that season.

6. HANDLING OF OVER/UNDER CATCHES AND PROHIBITED SPECIES

- 6.1 The Permit Holder is allowed to land the following species, oreo dory (Family Oreosomatidae), orange roughy (*Hoplostethus atlanticus*) and alfonso (*Beryx splendens*) listed in Regulation 54 (Annexure 12) of the MLRA provided that:
- 6.1.1 they are caught as incidental by-catch during hake-directed fishing operations; and
- 6.1.2 the combined weight of the three species is not more than 4% of the total landed catch (processed weight) of any one landing.

7. LANDING OF FISH

- 7.1 The Permit Holder must ensure that all fish (including all by-catch) is discharged from the vessel in accordance with the reasonable instructions of the Fishery Control Officer. The fish and/or fish products shall be weighed by species. The fish and/ fish products shall be weighed by species within 48 hours of discharge.
- 7.2 The Permit Holder must ensure that all catch landed is delivered to an approved processing facility with a valid Fish Processing Establishment Permit.
- 7.3 The Permit Holder shall ensure that on receipt of the fish and/or fish products by the processing

facility all fish are weighed and sorted by species, product type and size and a copy of the Goods Received Voucher shall reflect the landing classification. A record of all documents should be retained by both the Permit Holder and the Fish Processing Establishment of which copies should be submitted to Fisheries Management Branch upon request.

- 7.4 Fish processed and landed in a form of “sausage” or of “mince” will be assumed to be hake and will be deducted from the Right Holders hake allocation.
- 7.5 Permit Holders whose vessel docks between the 15th of December of one year (the current year) and the 15th of January of the following year, shall elect to have their entire catch (or part thereof) deducted from their allocation for either year, provided that the quantum transferred between allocation years is less than 10% of the Right Holders entire allocation in that year provided that an Right Holder has a valid (not expired) catch permit.
- 7.6 Any Right Holder whose fishing trip starts from the 1st of January 2024 must deduct all the fish landed at the end of the trip from their 2024 allocation and must have a valid catch permit.

8. **SUBMISSION OF INFORMATION**

- 8.1 The catch *Discharge Sheet* contained in the TRAWL FISHING LOG shall be completed and must be signed by the Permit Holder or its authorised representative. This should not be done before discharging is completed.
- 8.2 The *Header Information per Activity Period* sheets shall be completed according to the instructions contained in the TRAWL FISHING LOG, and the skipper of the vessel shall sign the sheets.
- 8.3 The *Distribution of Catch Among Rights Allocations* sheet contained in the TRAWL FISHING LOG shall be completed and be signed by the Permit Holder or its authorized representative.
- 8.4 The properly completed and signed TRAWL FISHING LOG must be submitted to the Department either by hand or registered mail (***Trawl Fishing Logs***) by the last day of the month



following the month in which the catch was discharged from the vessel. In the case of freezer vessels, a copy of the Goods Received (GRV) must be submitted with the TRAWL FISHING LOG.

9. ECOSYSTEM EFFECTS OF FISHING

The Permit Holder must take cognizance of sustainable fishing practices and impacts of trawl nets and trawling on the ecosystem. A specific concern is possible catches and subsequent mortalities of seals. Other marine mammals may also potentially be at occasional risk.

9.1 Marine Mammal Interaction Mitigation Measures

Vessels operated by the Permit Holder must follow the below procedure to reduce gear impacts on the environment and marine mammals:

- Have suitable equipment such as grabhooks on board to retrieve abandoned, lost or otherwise discarded fishing gear (ALDFG) and training available for crew to facilitate the recovery of ALDFG;
- Shall not abandon lost gear without making every reasonable attempt to retrieve it as soon as possible;
- Shall not deliberately abandon fishing gear, except for safety reasons, notably vessels in distress and/or life in danger;
- Shall ensure that adequate space is kept on board vessels for the storage of redundant and damaged gear;
- Shall only dispose of old or replaced gear while the vessel is docked;
- Shall make every effort to recycle gear if possible;
- Shall subscribe to receive up to date sea state information / reports to reducing the potential of gear loss;
- Shall have the necessary winch or auto trawl (when installed) equipment to ensure the trawl does not close or entrap mammals; and
- Nets should not be left on the surface for significant periods of time, to avoid entangling pinnipeds/cetaceans around the net.

In the event vessels are forced to abandon gear or gear is lost, the vessel shall:

- Have the necessary GPS positioning equipment to mark and report position of lost gear if



unable to recover; and

- Report the location and time of the gear loss (see section below).

9.2 Interactions with Marine Mammals and Release Procedures

- All interactions with marine mammals that result in mortalities must be reported. The vessel shall notify the DFFE Branch: Oceans and Coasts (Steven McCue 083 4625 345) and CapMarine (Melanie Smith 072 7729 876) with the following information at hand:
 - a) the name and contact number of the person reporting;
 - b) the time and position of the catch that resulted in a mortality;
 - (c) the species name of the mammal (or a picture) (refer to publically available species Identification Guides listed in Annexure A) on the following hyperlink: <https://www.vliz.be/imisdocs/publications/255680.pdf>
 - (d) whether the animal was killed during shooting or hauling of the trawl; and
 - (e) type of trawl gear the animal was caught with and the identification code of the gear.

In the event a cetacean/pinniped becomes entrapped, the vessel must:

- If an animal becomes entrapped in the net, the net must be recovered, and the appropriate action taken to free the animal from the net unharmed.
- Vessels' crew shall safely release the animal as soon as possible if it is uninjured, taking care to avoid further injury to the animal or themselves: animals such as seals must be directed off the deck, while cetaceans may need to be maneuvered using tarpaulins/sheeting to lift or slide the animal.
- Unmanageable size animals should only be hoist/pulled by its tail under extreme circumstance where there is no other way to maneuver the animals safely from the deck, nor should they be left exposed for significant periods on the deck.
- All fatalities or serious injuries must be recorded in the vessels' logbooks.
- If there is an observer on board, all relevant information regarding the marine mammal must be recorded and reported by CapMarine.

SIGNATURE:

DIRECTOR: OFFSHORE & HIGH SEAS FISHERIES MANAGEMENT

DATE:



Annexure 1**PROCEDURES FOR CHARTERING OF SOUTH AFRICAN VESSEL BY OTHER COUNTRIES**

The following procedures shall apply:

1. It is the Right Holder's responsibility to return the original catch permit to the Department (Attention: Assistant: Demersal Fisheries Management) for cancellation. Upon cancellation of the permit the Department will provide written authorization for the vessel to be chartered. It should be noted that the fish hold is to be cleared before departure and no fishing may take place on route to the chartering country (fishing gear to be stowed). Similarly, before returning to South African all fish caught under charter agreement must be discharged in the ports of the chartering country. No fishing is to take place while vessel is on route to South African ports (all fishing gear to be stowed).
2. Should the charter period straddle two fishing seasons then the Right Holder shall notify the Department of the vessel's intention to fish in the South African fishery later in the new fishing season by submitting relevant permit applications prior to 1 January of the new season. (On the application the right should inform the Department that the vessel is currently chartered in a foreign country and will only collect the permit upon the vessel's return to South Africa).
3. Prior the issuing of the South African catch permit, the Permit Holder would need to demonstrate that the vessel's VMS is reporting to Department's base. In addition, a FCO has to inspect the vessel on docking to ensure that no fish is on board. Lastly, the Right Holder shall provide an electronic overall catch summary by species in an Excel format to the Department of catches made under charter. These catch statistics have to indicate that the fish was caught under charter so as to avoid duplication of reporting.



4. Catches made while chartering for another country will not be accepted by the Department when conducting the sector-specific performance reviews. Moreover, permit holders who primarily fish for other countries may have their South African fishing rights revoked.



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